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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

In re: CATHODE RAY TUBE (CRT)
 ANTITRUST LITIGATION

) Case No. 07-5944-SC

) MDL No. 1917

This Document Relates to:

Electrograph Sys., Inc. v. Hitachi, Ltd.,
 No. 11-cv-01656;

Electrograph Sys., Inc. v. Technicolor SA,
 No. 13-cv-05724;

Siegel v. Hitachi, Ltd., No. 11-cv-05502;

Siegel v. Technicolor SA, No. 13-cv-05261;

Best Buy Co., Inc. v. Hitachi, Ltd.,
 No. 11-cv-05513;

Best Buy Co., Inc. v. Technicolor SA,

) **DECLARATION OF TIFFANY B. GELOTT**
) **IN SUPPORT OF DEFENDANTS PHILIPS**
) **ELECTRONICS NORTH AMERICA**
) **CORPORATION'S, PHILIPS TAIWAN**
) **LIMITED'S, AND PHILIPS DO BRASIL**
) **LTDA.'S ADMINISTRATIVE MOTION TO**
) **FILE DOCUMENTS UNDER SEAL**
) **PURSUANT TO CIVIL LOCAL RULES 7-11**
) **AND 79-5(d)**

) Date: February 6, 2015

) Time: 10:00 a.m.

) Place: Courtroom 1, 17th Floor

) Hon. Samuel P. Conti

1 No. 13-cv-05264;
 2 *Interbond Corp. of Am. v. Hitachi, Ltd.*,
 3 No. 11-cv-06275;
 4 *Interbond Corp. of Am. v. Technicolor SA*,
 5 No. 13-cv-05727;
 6 *Office Depot, Inc. v. Hitachi, Ltd.*,
 7 No. 11-cv-06276;
 8 *Office Depot, Inc. v. Technicolor SA*,
 9 No. 13-cv-05726;
 10 *CompuCom Sys., Inc. v. Hitachi, Ltd.*,
 11 No. 11-cv-06396;
 12 *P.C. Richard & Son Long Island Corp. v.*
 13 *Hitachi, Ltd.*, No. 12-cv-02648;
 14 *P.C. Richard & Son Long Island Corp. v.*
 15 *Technicolor SA*, No. 13-cv-05725;
 16 *Schultze Agency Servs., LLC v. Hitachi, Ltd.*,
 17 No. 12-cv-02649;
 18 *Schultze Agency Servs., LLC v. Technicolor SA*,
 19 No. 13-cv-05668;
 20 *Tech Data Corp. v. Hitachi, Ltd.*,
 21 No. 13-cv-00157;
 22 *Sears, Roebuck and Co. and Kmart Corp. v.*
 23 *Technicolor SA*, No. 13-cv-05262
 24 *Sears, Roebuck and Co. and Kmart Corp. v.*
 25 *Chunghwa Picture Tubes, Ltd.*,
 26 No. 11-cv-05514
 27 *Sharp Electronics Corp. v. Hitachi Ltd.*,
 28 No. 13-cv-1173 SC
Sharp Electronics Corp. v. Koninklijke Philips
Elecs., N.V., No. 13-cv-2776 SC
ViewSonic Corp. v. Chunghwa Picture Tubes,
Ltd., No. 14-cv-2510 SC
All Indirect Purchaser Actions

1 I, Tiffany B. Gelott, declare and state as follows:

2 1. I am an attorney with Baker Botts LLP, counsel for Philips Electronics North America
3 Corporation (“PENAC”), Philips Taiwan Limited (“PTL”), and Philips do Brasil, Ltda. (“PDBL”) (collectively, the “Philips Subsidiaries”) in the above-captioned action. I am a member of the bar of
4 the District of Columbia and have been admitted to practice before this Court on this matter *pro hac*
5 *vice*. I make this declaration pursuant to Civil Local Rule 79-5(d) to establish that certain documents
6 containing “Confidential” or “Highly Confidential” information that have been submitted to the Court
7 in connection with the Philips Subsidiaries’ Reply in Support of Motion for Partial Summary
8 Judgment (the “Reply”) are sealable. Except for those matters stated on information and belief, about
9 which I am informed and believe to be true, I have personal knowledge of the facts stated herein and,
10 if called as witness, I could and would competently testify thereto.

12 2. On June 18, 2008, the Court approved a “Stipulated Protective Order” in this matter
13 (Dkt. No. 306) (the “Protective Order”). On January 23, 2015, the Philips Subsidiaries filed an
14 Administrative Motion to Seal, and lodged conditionally under seal, the following documents, or
15 portions thereof, pursuant to Civil Local Rules 7-11 and 79-5(d):

- 16 • Portions of the Reply that contain information from documents that the PENAC and
17 Koninklijke Philips N.V. (“KPNV”) have designated “Confidential” or “Highly Confidential;”
18 and
- 19 • Exhibits 1-6 to the Declaration of Tiffany B. Gelott in Support of Philips Electronics
20 North America Corporation’s, Philips Taiwan Limited’s, and Philips do Brasil Ltda.’s Reply in
21 Support of Motion for Partial Summary Judgment (“Gelott Declaration”).

22 3. The documents or portions of the documents submitted under seal contain either (a)
23 material designated by PENAC and KPNV pursuant to the Stipulated Protective Order (Dkt. 306,
24 June 18, 2008) as “Confidential” or “Highly Confidential,” or (b) an analysis of, references to, or
25 information taken directly from material designated by PENAC and KPNV pursuant to the Stipulated
26 Protective Order as “Confidential” or “Highly Confidential.”

1 4. Therefore, pursuant to Civil Local Rule 79-5(d), I also make this declaration on behalf
2 the Philips Subsidiaries to provide the basis for the Court to maintain under seal certain documents
3 and information designated by the Philips Subsidiaries as “Confidential” or “Highly Confidential”
4 pursuant to the Stipulated Protective Order, and all references to those documents and information in
5 the Reply and the exhibits to the Gelott Declaration.

6 5. Pursuant to Civil Local Rules 7-11 and 79-5(d), this Court’s General Order No. 92,
7 Electronic Filing of Documents Under Seal, effective May 10, 2010, and the Stipulated Protective
8 Order, the following Exhibits to the Gelott Declaration should be maintained under seal:

- 9 a. Attached as Exhibit 1 to the Gelott Declaration is a true and correct copy of excerpts of
10 the Deposition of Jim Smith (12/12/2013) (“Smith Dep.”), that PENAC and KPNV
11 designated as “Highly Confidential” pursuant to the Stipulated Protective Order;
- 12 b. Attached as Exhibit 2 to the Gelott Declaration is a document produced by PENAC and
13 KPNV in this litigation with the bates number, PHLP-CRT-148288, that PENAC and
14 KPNV designated as “Confidential” pursuant to the Stipulated Protective Order;
- 15 c. Attached as Exhibit 3 to the Gelott Declaration is a document produced by PENAC and
16 KPNV in this litigation with the bates numbers, PHLP-CRT-150976 through PHLP-
17 CRT-150977, that PENAC and KPNV designated as “Confidential” pursuant to the
18 Stipulated Protective Order;
- 19 d. Attached as Exhibit 4 to the Gelott Declaration is a document produced by PENAC and
20 KPNV in this litigation with the bates numbers, PHLP-CRT-149177 through PHLP-
21 CRT-149179, that PENAC and KPNV designated as “Confidential” pursuant to the
22 Stipulated Protective Order;
- 23 e. Attached as Exhibit 5 to the Gelott Declaration is a document produced by PENAC and
24 KPNV in this litigation with the bates numbers, PHLP-CRT-064967 through PHLP-
25 CRT-064968, that PENAC and KPNV designated as “Confidential” pursuant to the
26 Stipulated Protective Order; and
27
28

f. Attached as Exhibit 6 to the Gelott Declaration is a true and correct copy of excerpts of the Deposition of Jan De Lombaerde (10/9/2014) ("Lombaerde Dep."), that PENAC and KPNV designated as "Highly Confidential" pursuant to the to the Stipulated Protective Order.

7. Upon information and belief, the documents and testimony contained within Exhibits 1-6 to the Gelott Declaration were designated by PENAC and KPNV as "Confidential" or "Highly Confidential" pursuant to the Stipulated Protective Order because they contain confidential, nonpublic, and highly sensitive business information about the Philips Subsidiaries' sales practices, business and supply agreements, and competitive positions. The documents and testimony describe relationships with companies (including customers and vendors) that remain important to the Philips Subsidiaries' competitive positions. Publicly disclosing this sensitive information presents a risk of undermining the Philips Subsidiaries' relationships, would cause harm with respect to the Philips Subsidiaries' customers, and would put Philips Subsidiaries at a competitive disadvantage.

8. The highlighted portions of the Reply that quote from, describe, or contain documents or information designated as "Confidential" or "Highly Confidential" by PENAC and KPNV pursuant to the Stipulated Protective Order, including Exhibits 1-6 to the Gelott Declaration. I understand that the Philips Subsidiaries consider any statements in the Reply that summarize the exhibits and other documents or information designated as "Confidential" or "Highly Confidential" by the Philips Subsidiaries is confidential and proprietary. I am informed and believe that reasonable steps have been taken to preserve the confidentiality of information of the type contained, identified, or cited to in Exhibits 1-6, and referenced in the Reply.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information.

Executed on January 23, 2015 in Washington, D.C.

/s/ Tiffany B. Gelott

Tiffany B. Gelott